

DECLARATION FOR UTILITY PATENT APPLICATION

COPY

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHODS AND DEVICES FOR CREATING COLLATERAL CHANNELS IN THE LUNGS, the specification of which is attached hereto unless the following box is checked:

☒ was filed on August 7, 2000 as United States Application Serial No. 09/633,651.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

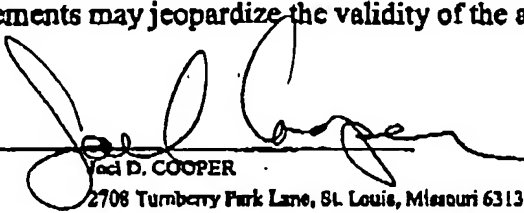
Application Serial No.	Filing Date
60/147,528	August 5, 1999
60/176,141	January 14, 2000

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.


		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
--	--	---

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

30 July 2001
Date


Name: Joel D. COOPER
Residence: 2708 Turnberry Park Lane, St. Louis, Missouri 63131
Citizenship: United States of America
Post Office Address: 2708 Turnberry Park Lane, St. Louis, Missouri 63131

26 JULY '01
Date


Name: Bryan LOOMAS
Residence: 265 Snow Crest Road, Los Gatos, California 95033
Citizenship: United States of America
Post Office Address: 265 Snow Crest Road, Los Gatos, California 95033

Date

Name: Don TANAKA
Residence: 18774 Devon Avenue, Saratoga, California 95070
Citizenship: United States of America
Post Office Address: 18774 Devon Avenue, Saratoga, California 95070

Date

Name: Michael D. LAUPER
Residence: 1259 El Camino Real #211, Menlo Park, California 94025
Citizenship: United States of America
Post Office Address: 1259 El Camino Real #211, Menlo Park, California 94025

Date


Name: David THOMPSON
Residence: 793 Almondwood Way, San Jose, California 95120
Citizenship: United States of America
Post Office Address: 793 Almondwood Way, San Jose, California 95120

Application Serial No	Filing Date	Status
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date _____ Name: Joel D. COOPER
 Residence: 2708 Turnberry Park Lane, St. Louis, Missouri 63131
 Citizenship: United States of America
 Post Office Address: 2708 Turnberry Park Lane, St. Louis, Missouri 63131

26 JULY '01


 Name: Bryan LOOMAS
 Residence: 265 Snow Crest Road, Los Gatos, California 95033
 Citizenship: United States of America
 Post Office Address: 265 Snow Crest Road, Los Gatos, California 95033

Date _____ Name: Don TANAKA
 Residence: 18774 Devon Avenue, Saratoga, California 95070
 Citizenship: United States of America
 Post Office Address: 18774 Devon Avenue, Saratoga, California 95070

Date _____ Name: Michael D. LAUFER
 Residence: 1259 El Camino Real #211, Menlo Park, California 94025
 Citizenship: United States of America
 Post Office Address: 1259 El Camino Real #211, Menlo Park, California 94025


Date _____ Name: David THOMPSON
 Residence: 793 Almondwood Way, San Jose, California 95120
 Citizenship: United States of America
 Post Office Address: 793 Almondwood Way, San Jose, California 95120

		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
--	--	---

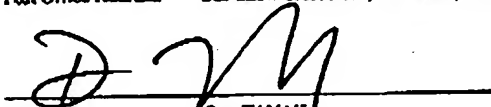
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____
 Name: Joel D. COOPER
 Residence: 2708 Turnberry Park Lane, St. Louis, Missouri 63131
 Citizenship: United States of America
 Post Office Address: 2708 Turnberry Park Lane, St. Louis, Missouri 63131

26 JULY 01
 Date


 Name: Bryon LOOMAS
 Residence: 265 Snow Crest Road, Los Gatos, California 95033
 Citizenship: United States of America
 Post Office Address: 265 Snow Crest Road, Los Gatos, California 95033


29 JULY 01
 Date


 Name: Don TANAKA
 Residence: 18774 Devon Avenue, Saratoga, California 95070
 Citizenship: United States of America
 Post Office Address: 18774 Devon Avenue, Saratoga, California 95070

Date

Name: Michael D. LAUPER
 Residence: 1259 El Camino Real #211, Menlo Park, California 94025
 Citizenship: United States of America
 Post Office Address: 1259 El Camino Real #211, Menlo Park, California 94025

27 JULY 01
 Date


 Name: David THOMPSON
 Residence: 793 Almondwood Way, San Jose, California 95120
 Citizenship: United States of America
 Post Office Address: 793 Almondwood Way, San Jose, California 95120

		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
--	--	---

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: _____
 Name: Paul B. COOPER
 Residence: 2708 Turnberry Park Lane, St. Louis, Missouri 63131
 Citizenship: United States of America
 Post Office Address: 2708 Turnberry Park Lane, St. Louis, Missouri 63131

26 July '01

Date: _____
 Name: Bryan LOONAN
 Residence: 263 Snow Crest Road, Los Gatos, California 95033
 Citizenship: United States of America
 Post Office Address: 263 Snow Crest Road, Los Gatos, California 95033

Date: _____
 Name: Don TANAKA
 Residence: 18774 Devon Avenue, Saratoga, California 95070
 Citizenship: United States of America
 Post Office Address: 18774 Devon Avenue, Saratoga, California 95070

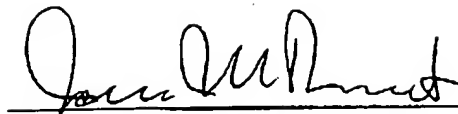
31 July '01

Date: _____
 Name: Michael D. LAUFER
 Residence: 1239 El Camino Real #211, Menlo Park, California 94025
 Citizenship: United States of America
 Post Office Address: 1239 El Camino Real #211, Menlo Park, California 94025

Date: _____
 Name: David THOMPSON
 Residence: 793 Almondwood Way, San Jose, California 95128
 Citizenship: United States of America
 Post Office Address: 793 Almondwood Way, San Jose, California 95128

27, JULY 2001

Date



Name: James M. DAVENPORT
Residence: 1461 Sunset Grove Road, Fallbrook, California 92028
Citizenship: United States of America
Post Office Address: 1461 Sunset Grove Road, Fallbrook, California 92028

Date

Name: Gary KAPLAN
Residence: 111 Caselli Avenue, San Francisco, California 94114
Citizenship: United States of America
Post Office Address: 111 Caselli Avenue, San Francisco, California 94114

Date

Name: Dave HAUGAARD
Residence: 750 Pershing Avenue, San Jose, California 95126
Citizenship: United States of America
Post Office Address: 750 Pershing Avenue, San Jose, California 95126

Date

Name: Glendon E. FRENCH
Residence: 238 Avila Road, San Mateo, California 94402
Citizenship: United States of America
Post Office Address: 238 Avila Road, San Mateo, California 94402

Date

8/1/01

Date

Name: James M. DAVENPORT
Residence: 1461 Sunset Grove Road, Fallbrook, California 92028
Citizenship: United States of America
Post Office Address: 1461 Sunset Grove Road, Fallbrook, California 92028

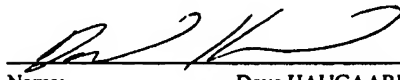


Name: Gary KAPLAN
Residence: 111 Caselli Avenue, San Francisco, California 94114
Citizenship: United States of America
Post Office Address: 111 Caselli Avenue, San Francisco, California 94114

7/30/01

Date

Name: Dave HAUGAARD
Residence: 750 Pershing Avenue, San Jose, California 95126
Citizenship: United States of America
Post Office Address: 750 Pershing Avenue, San Jose, California 95126



Date

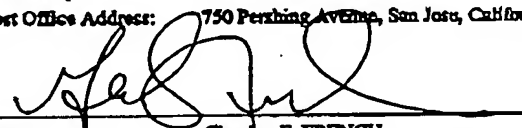
Name: Glendon E. FRENCH
Residence: 238 Avila Road, San Mateo, California 94402
Citizenship: United States of America
Post Office Address: 238 Avila Road, San Mateo, California 94402

Date: _____
Name: James M. DAVENPORT
Residence: 1461 Sunset Grove Road, Fallbrook, California 92028
Citizenship: United States of America
Post Office Address: 1461 Sunset Grove Road, Fallbrook, California 92028

Date: _____
Name: Gary KAPLAN
Residence: 111 Caselli Avenue, San Francisco, California 94114
Citizenship: United States of America
Post Office Address: 111 Caselli Avenue, San Francisco, California 94114

Date: _____
Name: Dave HAUGAARD
Residence: 750 Pershing Avenue, San Jose, California 95126
Citizenship: United States of America
Post Office Address: 750 Pershing Avenue, San Jose, California 95126

7/25/01
Date


Name: Glendon E. FRENCH
Residence: 238 Avila Road, San Mateo, California 94402
Citizenship: United States of America
Post Office Address: 238 Avila Road, San Mateo, California 94402